Appendix 1 Application 09/376381

Appendix 1
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St post

t Step Analysis of Examin r's Points

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Items cited Page 2	Examiner's Rebuttal	Applicant's Comments	New Claims Response
Carrier cargo	Col 4, line 53-60	No mentioned of any cargo	
system		system	
Agent/Users terminal	Col 4, line 53-60	Yes mentions agent terminal	Our system is for registered agents and service providers.
Option price	Abstract	Yes but for an airline ticket	
Freight service	Abstract	Yes but for an airline ticket. It is	
option	ı	also very clear that Walker's	1
		recognize this (Col 3, lines 1-3)	
Exchange	Col 1, lines 40-67,	Talks about financial options in	
environment	col 2, lines 1-9	the stock market. Exchange	ļ
	, , ,	Environment as explained by	
		Walker is merely to detail the	
		history of options and its usage.	
		It does not seek to teach its	ł
		workings. Firstly cargo option	
		has never been traded in any	
		exchange environment because	İ
		it has not been invented until	1
		now. Secondly financial options	į
		may be netted off by cash, the	
		same cannot be said with cargo	
		options as goods need to be	ĺ
		delivered. The fact that to date	
		no cargo option has even been	ł
		mooted underscores the	
		unobviousness of such an	
		invention to one familiar with	}
		the art.	
Electronically	Col 4, lines 1-15	Basically a reservation system	
visible		for airlines, there is no similar	
		reservation system for cargo.	
		This is partly due to lack of	
		legal requirements to share	
		pricing information between	
		cargo service providers.	
Pre-assigned user	Col 7, lines 40-43	No connection as walker teach	
accounts		about revising the option price	
		by user while my application	
		defines each user with their own	
		accounts.	
Central controller	Col 4, lines 27-34, 59	Yes but any system needs a	
		central processor to do some	
		calculation	
CPU and a memory	Col 4, lines 19-20	Yes, standard to all computers	
Connected to CPU	Col 4 lines 16-67	Yes, common to all computers	
User terminal	Col 4, line 53-60	Yes, it's a network design	Includes browser
			software to access the
}			host computer/gateway
			on the internet.
Transmitting to	Col 4, lines 27-34, 59	Yes terminals are linked to said	
said controller	*	controller. Our system is a	
[
Į.		network though which means any other system can be linked	

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	T	to our central controller.	T
		Walker's is more like a	
		standalone with modem ports to	
}	ì	dial up to which uses different	
		protocols of communications as	1
]	in the application. But this is not	}
		Walker's fault as in his days, the	
		internet is not as popular.	
Date of departure,	Abstract, Col 5, lines	Basically the components are	Noteworthy is that each
flexibility, type of	41-64, Col 6, lines	identical in form but for the	cargo system must
cargo and route	40-67, Col 7, lines 1-	underlying objects, for example	determine their own
criteria	26	type of cargo, final price etc are	responses if any to a
		not in Walker's as it is not	cargo option request. No
		related to cargo. Secondly there	such option in Walker.
		are other data from cargo system	Components are not
		responding to the first set of	limited to the date of
		data by user and together all	departure of cargo, final
		these data which eventually go	price payable,
		into the option formula. In	destination of cargo,
	1	Walker's only data from option	arrival date of cargo,
		database and customer	flexibility of arrival
		information where customer	date, type of cargo and
		information relies on departure	route criteria.
		criteria, destination criteria and	
Terms sited wars 2		travel criteria are extracted.	
Items cited page 3 Cargo system	Col 4, line 53-60	Talks shout correction to	
Cargo system	Coi 4, line 33-00	Talks about connecting to terminals and not to a cargo	
		system. No relevance.	
Flight passengers	Col 4 lines 1-15	Correct was mentioned as a tool	Removed reference as
reservation system	001 1 1100 1 10	to decide on cargo loading. But	not critical for pure
		this is or passenger's plane	cargo service providers
		where cargo and passengers	cango sor vice providers
		spaces are considered. For pure	
		cargo transporter this is not	
		necessary.	
Central controller	Col 4, lines 27-34, 59	Standard to computer	
Demand rate,	Col 7, line 22	Yes but Walker uses historical	It should be understood
Standard Deviation		while we get LIVE data from	that our cargo system
		cargo system which means data	may have reservation
		has to be calculated rather than	functions (ie a customer
		provided as in Walker from	may book without
		option database (Col 6, 15-17).	knowing the price) and
			sell cargo option hence
			its prices source from
			underlying physical
			market must be LIVE, hence a market
			environment is required.
Freight Option	Abstract	Yes but refers to Airline ticket	CHAROMHERE 19 LEMARER.
Components	Abstract, Col 6 lines	There is no doubt, information	In Titanium Metals
related to cargo	40-67, Col 7 lines 1-	is required in both cases but the	Corp. v. Banner, 227
system	26, Col 7, lines 55,	variable components provided	USPQ 773 (Fed. Cir.
	Col 8, lines 7-8	are different as the formula	1985), the court went on
		are content as are formata	1703), and court wont on 1

		and serve different purpose. This is to say even though it is only a simple formula, the components are not interchangeable.	immaterial what properties the alloys had or who discovered the properties because the composition is the same and thus must necessarily exhibit the properties. It is clear that the formula composition between Walker's and my application is
Said memory	Col 4, lines 19-20	Yes which is standard to computers	different.
A program	Col 4, lines 20-22, Col 5, lines 29-31, Col 6, lines 9-11	Yes, an option calculation program is required to run instructions in a computer. Useful to note that a program is merely electronic steps to do something. Hence it is important to evaluate the different steps employed. In Walker's it merely collects the info from user, user database and from option database and run a simple multiplication against the factors representing the requirements. In my application, the program waits for input from cargo systems before running the multiplication and in the case of base price, cargo system calculates this factor on based on the final price payable by client and weighted cost of capital before forwarding this result to host computer. This means for example, our client is able to name the final price payable while Walker's fixes the base by assigning a fraction corresponding to the final value of the ticket where the fraction decreases when the ticket price approaches the full fare price.	It is clear that if we are to follow Walker's teaching, we will not be able to get our option pricing correct. The program recited here interprets data from cargo system and from user and transform these data bytes to an electronic contract with a monetary value and offer it to the requester for the optional purchase of cargo space at a fix price in the future. The main advantage besides able to price a cargo option as versus an option to purchase an airline ticket is that the client can fix the final price payable. Walker's need to fix the final ticket price first in order to calculate the base price.
For calculating	Abstract, Col 6 lines 13,28	Same as above	
Option Price	Abstract, Col 6 lines 13,28	Yes but option for cargo space not airline ticket	
Freight facility option	Col 7, lines 4-5	Again the option is not for an airline ticket	
Freight option price	Abstract	Error here, the exact wording from my Claims is Freight price not freight option price as written in Examiner's response. There is a difference between	

		the two.	
Satisfied the customer/buyer requirements	Abstract, Col 5, lines 41-64, Col 6, lines 40-67, Col 7 lines 1-26	Yes but Walker has only 3 components whereas in my claims, it covers more requirements. The crucial difference not mentioned in Walker's is that in my claims, cargo system first must check if these requirements are suitable. So for example if there is no available transporter with space able to arrive on the date, the cargo system will not respond for the particular data, or if the final price is not 'acceptable' the cargo system may not respond. Walker's patent is silent in this and it is presumed that irregardless the central controller will always response with a price of some sort.	The date of departure of cargo, final price payable, destination of cargo, arrival date of cargo, flexibility of arrival date, type of cargo and route criteria. Components are different, treatment of components are different and no obligation to response.
ractors/cntena	35-37, Col 5, lines 41-67, Col 6, lines 40-67, Col 7, lines 1- 26, 54-56	criteria, destination criteria and travel criteria.	cargo, final price payable, destination of cargo, arrival date of cargo, flexibility of arrival date, type of cargo and route criteria.
Agent terminal	Col 4 line 53-60	Yes	·
Respective reservation system	Col 4, lines 1-15	Yes however in Walker's specs it is a centralized passenger reservation systems. In my claim, it refers to individual cargo reservation cargo system. There is no centralized cargo reservation system.	
Items Cited Page 4			
Updated from time to time	Col 7 line 62-65	Examiner pointed to a customer database in Walker's being updated. In my claims, I was referring to option prices being updated whenever the criteria/inputs change and hence option prices are updated. le when customer make changes to data, option price is updated.	
Options and terms	Col 7, lines 52-61, Col 8, lines 15	Yes both Walker and my claims have a database which must update data representing options terms.	
Para 2 Page 4	Without password protection and a login sequence, the database could not be updatedtherefore	My claims point to registered users having a password and login sequence to enter the system (not database) to check their option positions and to buy	

because the database in Walker is updateable, it naturally must have password and login sequence. and sell options within the limits of their authority. They do not have administrative access to the database but only user access and this distinction is important. Furthermore updates are done by central controller	
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sequence. important. Furthermore updates are done by central controller	
are done by central controller	
upon request by user's input	
such as purchase of option etc.	
The examiner is concern about	
login and password for the	
database which is inherent in	
any database. This is however	
not the same as given users their	
own login and passwords within	
their own accounts in the	
database. Text based database	
have no password because it is	
basically a text file which is	
used as a database having	
formats like .tab or .csv etc	
They are however updateable.	
Program Col 4, lines 20-22 See above	
Memory Col 4, lines 19-20 See above	
Client request Col 5, lines 39-41 Here Walker's patent only	
mention the client selects the	
flight information and sent it to	
the central controller, it can't do	
the other things like search, sell	
offer to buy etc	
User terminal Col 4, line 53-60, Col Yes	
7, Lines 27-30	
Offer to buy Col 7, lines 28-30 Not exactly, since offer to buy	
means, the client is not happy	
with the price given by the	
central controller and offer	
another price ie offer to buy (or	
counter-offer). In Walker's the	
client has no choice but to either	
accept the price (ie buy not	
counter offer) or not buy or vary	
the inputs.	
Credit Card Col 7, lines 27-35, Yes Will change this	
Transaction Col 8 Lines 10-15 accounts as the a	
for Cargo spaces	
are usually beyon	
credit cards. Will	1
include some kin	d of
payment arrange	
where money are	debit
and credit between	en
1 and order between	s.
sellers and buyer	
Buy the option Col 7, 28-30 Yes this is a buy situation but sellers and buyer	
sellers and buyer	

central processor is the arranger in this case while Walker's central processor is the seller in the airline's computer which is my equivalent of cargo system (seller). In short, Walker patent talk about a one to one while in my claims, we have many sellers to one buyer at anyone time requesting for a price. Customer request Customer request Col 7, lines 28-30 Citation by examiner has nothing to do with wanting to exercise the option. This is an application for not only air cargo but also rail etc. The examiner has incorrectly included the word "option" in freight option price. My original claims should read as "standard deviation of the freight price" Para 2, line 4 Para 3 line 3 Para 3 line 3 Abstract, Col 3 lines 35-37, Col 5, lines 40-67, Col 7, lines 1-26 describe how option prices are calculated and output to user either as a single or multi prices for different sectors which are not linked to factors. I agree with Col 3 lines 31-26 describe how option prices are calculated and output to user either as a single or multi prices for different sectors which are not linked to factors. I agree with Col 3 lines 35-37 and Col 7 lines 40-67, Col 7, lines 1-26 describe how option prices are calculated and output to user either as a single or multi prices for different sectors which are not linked to factors. I agree with Col 3 lines 35-37 and Col 7 lines 54-56 which mentioned factors but as mentioned factors but as mentioned before these factors are different from Walkers by properties and dimensions. Items Cited Page 8 Para 1, line 8 Para 1, line 8 Abstract, Col 6 lines 13, 28				
in this case while Walker's central processor is the seller is the airline 's computer which is my equivalent of eargo system (seller). In short, Walker patent talk about a one to one while in my claims, we have many sellers to one buyer at anyone time requesting for a price. Customer request Col 7, lines 28-30 Citation by examiner has nothing to do with wanting to exercise the option. This is an application for not only air cargo but also rail etc. The examiner has incorrectly included the word "option" in freight option price. My original claims should read as "standard deviation of the freight price" Para 1, line 4 Para 2, line 4 Para 3 line 3 Abstract, Col 3 lines 35-37, Col 6, lines 41-67, Col 6, lines 41-67, Col 6, lines 40-67, Col 7, lines 1-26, 54-56) Items Cited Page 7 factor Abstract, Col 3 lines 36-37, Col 6, lines 40-67, Col 7, lines 1-26 describe how option prices are calculated and output to user either as a single or multi prices for different sectors which are not linked to factors. I agree with Col 3 lines 33-37 and Col 7 lines 35-37 and Col 7 lines 34-56 which mentioned factors but as mentioned before these factors are different from Walkers by properties and dimensions. Items Cited Page 8 Para 1, line 8 Para 1, line 8 Abstract, Col 6 lines 13, 28 Yes			the client which means the	
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Calculating Abstract, Col 6 lines Yes 13, 28	110/115 Office 1 age 6			
Calculating Abstract, Col 6 lines Yes 13, 28	Para 1, line 8		V-10-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	The word "plane"
13, 28				should not be there.
	Calculating		Yes	
	Para 3, line 5	: z - -	Again examiner's error in	

		•	
Items Cited Page			
		pay for the freight cargo service.	<u> </u>
		unrelated to using the option to	
		based on a route that the user may select etc which is	
		showing multiple option prices	
		the reference refers to a way of	
service		line from bottom. Furthermore	
the freight cargo		and option in the second last	
Steps of using said option to pay for	COI 0, 17-25	The examiner type incorrectly the word "to" in-between said	
Stone of using said	Col 6, 17-25	a period of time.	
		option must be exercised within	
		period. This is to say that the	
	İ	ie to pay for within a particular	
		property of the option contract	
		the purchase of an option while in my claims, it highlights the	
		methods of making payment for	
Particular period	Col 7, lines 27-35	The cited lines deal with	
		quote the wrong line.	
	}	is aiming at here. Seems to me	
option prior	1	am not sure what the examiner	
option price	Col 7, line 26	Shows either the formula or blank in Walker's patent, so I	
Cargo freight	Col 7 line 26	Change eigher the Committee	
12		-	
Items Cited Page			
F-20-7			
pages			
Similar items have been cited in other			
A			
11			
Items Cited Page			
F-0	 		
pages			
Similar items have been cited in other			
10			
Items Cited Page			
		deals completed by users.	
Updating	Col 7, lines 62-65	Yes, as it refers to updating	
		when it should be freight price	
Para 2, line 3		Including the word option again	
rtems ched ruge >			
Items Cited Page 9		deviation calculation	
		is being used for standard	
		should be freight price only that	
	}	including option price when it	ļ

Name of user and route criteria Col 5, lines 43-44 The reference cited departure criteria, and want on to explain the factors behind the criteria. My claim simply states that the step to enquiry cargo flight route includes providing information is under the criteria in Walker's as cited by examiner's reference. Col 7, lines 62-65 Col 7, lines 30-35, Col 8, Lines 10-15, 27-30 Col 7, lines 30-35, Col 8, Lines 10-15, 27-30 Tolon 15, 27-30 Tolon 2, Lines 30-35, Col 8, Lines 10-15, 27-30 In new claims, we are getting rid of the credit in my application there is a difference between claims is accounts payable being updated into the database. In credit card to work. Also linking to banks to actually instruct transaction, nothing is actually settled immediately since it is a credit facility, hence a payment at anytime before settlement is actually a credit from the bank hence a claim in our records. In short, my application allows for book entries is debit one and credit one which are not settled outside the system and hence are book entry. This is also for user to user while Walker's is really between the provider to user. Col 8, line 10-15 details billing the user on exercise of option in said reference which I believe to have no relevance to my claim for user to user while Walker's is really between the provider to user. Col 8, lines 27-30 refers to the airline not able to do anything until the option is exercise etc so I am not sure how this is related to my claim for user to user option sale and purchase since I have yet to mention exercising these options.		1	5
Updating Col 7, lines 62-65 Claims Col 8, Lines 10- 15,27-30 Col 9, lines 30-35, Col 8, Lines 10- 15,27-30 Col 7, lines 30-35, Col 8, Lines 10- 15,27-30 Col 7, lines 30-35, Col 8, Lines 10- 15,27-30 Col 7, lines 30-35, Col 8, Lines 10- 15,27-30 Col 7, lines 30-35 is agreeable since it refers to billing customer's credit card, however in my application there is a difference between claims ie accounts payable being updated into the database. In credit card transaction, nothing is actually settled immediately since it is a credit facility, hence a payment at anytime before settlement is actually a credit from the bank hence a claim in our records. In short, my application allows for book entries ie debit one and credit one which are not settled outside the system and hence are book entry. This is also for user to user while Walker's is really between the provider to user. Col 8, line 10-15 details billing the user on exercise of option in said reference which I believe to have no relevance to my claim for user to user transaction. Col 8, lines 27-30 refers to the airline not able to do anything until the option is exercise etc so I am not sure how this is related to my claim for user to user option sale and purchase since I have yet to mention exercising.	Col 5, lines 43-44	criteria, destination criteria and travel criteria and went on to explain the factors behind the criteria. My claim simply states that the step to enquiry cargo flight route includes providing information etc and none of the said information is under the criteria in Walker's as cited by	
Claims immediately Col 7, lines 30-35, Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 Col 8, Lines 10- 15,27-30 In new claims, we are getting rid of the credit card towork. Also linking to banks to actually instruct payment transfers between users accounts as a way to settle claims immediately by debit and credit one which are not settled outside the system and hence are book entries is debit one and credit one which are not settled outside the system and hence are book entry. This is also for user to user while Walker's is really between the provider to user. Col 8, line 10-15 details billing the user on exercise of option in said reference which I believe to have no relevance to my claim for user to user transaction. Col 8, lines 27-30 refers to the airline not able to do anything until the option is exercise etc so I am not sure how this is related to my claim for user to user option sale and purchase since I have yet to mention exercising			
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